

HISTORIC PRESERVATION COMMISSION

HEARING MINUTES

JUNE 9, 2011

Commissioners

Scott Winnette, Chairman

Robert Jones, Vice Chairman

Timothy Wesolek

Gary Baker (not present)

Shawn Burns

Kate McConnell

Stephen Parnes

Brian Dylus, Alternate

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Aldermanic Representative

Michael O'Connor

Staff

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Nick Colonna, Division Manager of Comprehensive Planning

Shannon Albaugh, HPC Administrative Assistant

•I. Call to Order

Mr. Winnette called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case.

All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

Announcements

Mr. Colonna announced that this would be his last meeting with the Commission. He resigned from the City and his last day will be June 17, 2011. He thanked the Commission for their support over the last three years. He added that it has been great working with the current Commission as well as past Commissioners.

Mr. Dylus stated that 2 Clarke Place was a property that came before the Commission and they found it to be in violation as it relates to the preservation of windows and they directed for certain windows to be replaced. That property is now for sale so how would they prevent the future purchaser from inheriting that problem. Mr. Waxter answered that this Commission unfortunately does not have any power to enforce that however staff is aware of this and they have taken some steps with Code Enforcement. There is a provision of the Property Maintenance Code that the City has adopted that states that you cannot sell a property while it is currently in violation. He added that sometimes they do see cases that do get transferred when there is a violation associated with it but they are aware of 2 Clarke Place. Mr. Waxter spoke with the Code Enforcement department about how they are going to take every step possible to make certain that any transfer of that property is done so with the new owner signing an affidavit that says they agree to take care of that violation.

II. Approval of Minutes

1. May 26, 2011 Hearing/Workshop Minutes

Motion: Shawn Burns moved to approve the May 26, 2011 hearing and workshop minutes as written.

Second: Timothy Wesolek

Vote: 7 - 0

- **II. HPC Business**

2. Administrative Approval Report

IV. Consent Items

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a. Cases to be Approved

b. Cases to be Continued

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•V. Cases to be Heard

3. HPC10-429

126 W. 4th Street

Jon Meacham

Raise bulkhead and install new cellar doors

Lisa Mroszczyk

Mr. Winnette stated that the applicant is not present and has asked for a continuance to the July 14th Hearing.

Motion: Timothy Wesolek moved to continue the case to the July 14, 2011 hearing.

Second: Shawn Burns

Vote: 7 - 0

4. HPC11-300

312 N. Bentz Street

Michael Moore

Parge and paint fieldstone foundation

Lisa Mroszczyk

Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant is seeking post-construction approval for parging the fieldstone foundation of a c. 1890 contributing row house with Type S Mortar/Stucco Mix. The mortar/stucco mix is proposed to be painted.

Applicant Presentation

Michael Moore, owner of 312 N. Bentz Street, stated that in 2009 he came before the Commission and asked for approval which was granted and he did not go through with getting the required work done. He was informed in a letter from Ms. Mroszczyk that he had two years to get the work done. He added that part of the delay was they were planning on painting the entire house and that was never done so he received a notice of violation. He did chip away what he could without damaging the brick, parging and the fieldstone at the bottom and he painted it again. So it has been well improved from what it was originally.

Commission Questioning/Discussion

Ms. McConnell stated that it looked like there was still a fair amount of mortar that could not be removed from the brick. Mr. Moore stated that the water infiltration was pretty much clear through and you could see it better from the inside of the basement and there were parts that he could not remove without damaging both the brick and the fieldstone beneath. Ms. McConnell stated that more so now you could say the paint delineates the line between the foundation and the brick as opposed to the parging. Mr. Moore answered yes that he had painted the white border below to match the delineation between the foundation and the brick.

Mr. Winnette stated the Commission did ask the applicant to test removing the parging when he came before the Commission the first time. Mr. Moore stated that it is very difficult to get the parging off the brick or the fieldstone but he was able to get as much as he could off without damaging the brick or the mortar in the brick and the fieldstone. Ms. Mroszczyk asked if the parging was cleaned up after the approval expired. Mr. Moore answered yes.

Mr. Winnette stated that he was in agreement with staff that they not putting a paint requirement on this. He added that he would be inclined, while respecting the staff report, to allow the parging to remain rather than to potentially damage the foundation of the building.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends the Commission deny the application of a mortar/stucco mix over the fieldstone foundation because it conceals a feature that contributes to the overall character of the building.

Motion: Brian Dylus moved to approve the application as submitted by the applicant that being the post-construction approval of mortar and stucco parging over a fieldstone foundation as he found there is an underlying moisture problem and because removal will damage the historic character of the building.

Second: Shawn Burns

Vote: 7 - 0

The meeting was adjourned at approximately 6:30 PM.

Respectfully Submitted,

Shannon Albaugh, Administrative Assistant